IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1117 of 2007()

CRIME NO.62/07 OF THAMARASSERY POLICE STATION

: PETITIONERS/ACCUSED.

---

1. VASUDEVAN, S/O.KILIYAN,
   AGED 30 YEARS, MALIKAPURAYIL HOUSE,
   PUTHUKKODE P.O. RAMANATTUKARA, KOZHIKODE.

2. HAMZA KOYA, S/O.MOHAMMED,
   AGED 30 YEARS, KOONTHALPOTTA HOUSE,
   PUTHUKODE P.O. RAMANATTUKARA, KOZHIKODE.

BY ADV. SRI.P.R.SREEJITH

RESPONDENTS: COMPLAINANT AND STATE.

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1117 OF 2007

Dated this the 27th day of February, 2007

O R D E R

Petitioners, who are accused Nos.1 and 2 in Crime No.62/2007 of Thamarassery Police Station for offences punishable under sections 420, 465 and 120B read with section 34 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the first accused had availed a loan of Rs.40,000/- in the year 1998 from a financial company by name Amrutha Auto Consultancy and did not re-pay the loan and finally he gave a cheque for Rs.1,05,000/- on a cheque leaf belonging to the second accused.

3. Eventhough anticipatory bail cannot be granted in a case of this nature, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their application for regular bail ordered by the concerned Magistrate. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 2.3.2007 and 4.3.2007 for the purpose of interrogation. They shall, thereafter, be produced on the same day before the concerned Magistrate, who shall release them on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks